

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

THE TRANSPARENCY PROJECT,

Plaintiff,

v.

U.S. DEPARTMENT OF JUSTICE, et al.,

Defendants.

CIVIL ACTION No. 4:20CV467

JUDGE SEAN D. JORDAN

**NATIONAL SECURITY DIVISION’S
NOTICE OF FILING SUPPLEMENTAL SEARCH DECLARATION AND
RENEWED MOTION FOR SUMMARY JUDGMENT**

Upon consideration of the Non-FBI Defendants’ Motion for Summary Judgment and all related briefing, this Court entered a Report and Recommendation of the Magistrate Judge recommending the motion be granted on all claims except as to the issue of the adequacy of the search by the National Security Division (“NSD”). [ECF No. 64]. Specifically, this Court recommended that the motion be denied without prejudice to refile as to the adequacy of NSD’s search for the remaining NSD requests, noting that the Court would permit NSD to submit an additional declaration to address the adequacy of its search. [Id. at p. 91].

The Declaration of Kevin G. Tiernan, attached hereto as Exhibit 1, serves as a supplement to the original declaration filed in this matter by Patrick Findlay on behalf of NSD. [ECF No. 51,52]. The Tiernan Declaration demonstrates the adequacy of NSD’s

search for Plaintiff's FOIA requests dated June 15, 2020 and June 18, 2020. Thus, Defendant Department of Justice, through its component NSD, renews its motion for summary judgment on the remaining issue of the adequacy of NSD's search.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on September 27, 2022, a true and correct copy of the foregoing document was filed electronically with the court and has been sent to counsel of record via the court's electronic filing system.

/s/ *Andrea L. Parker*
ANDREA L. PARKER
Assistant United States Attorney